

UNITED STATES DISTRICT COURT
 for the
 Western District of Virginia

AUG 31 2015
 JULIA C. DUDLEY, CLERK
 BY: *M. H.*
 DEPUTY CLERK

United States of America
 v.
 SHERMAN J. FOYE

Date of Previous Judgment: 02/21/2002
 (Use Date of Last Amended Judgment if Applicable)

)
) Case No: 4:01CR70056-004
) USM No: 06247-084
) Defendant's Attorney

Order Regarding Motion for Sentence Reduction Pursuant to 18 U.S.C. § 3582(c)(2)

Upon motion of the defendant the Director of the Bureau of Prisons the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion,

IT IS ORDERED that the motion is:

DENIED. GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of _____ months is reduced to _____.

I. COURT DETERMINATION OF GUIDELINE RANGE (Prior to Any Departures)

Previous Offense Level: _____

Amended Offense Level: _____

Criminal History Category: _____

Criminal History Category: _____

Previous Guideline Range: _____ to _____ months

Amended Guideline Range: _____ to _____ months

II. SENTENCE RELATIVE TO AMENDED GUIDELINE RANGE

- The reduced sentence is within the amended guideline range.
- The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at the time of sentencing as a result of a departure or Rule 35 reduction, and the reduced sentence is comparably less than the amended guideline range.
- Other (explain): _____

III. ADDITIONAL COMMENTS

Defendant was sentenced to the statutory minimum allowed, and therefore is not eligible for a reduction in sentence.

Except as provided above, all provisions of the judgment dated 02/21/2002 shall remain in effect.

IT IS SO ORDERED.

Order Date: 8/31/2015

Effective Date: 11/01/2015
 (if different from order date)

Jackson L. Kiser
 Judge's signature

Hon. Jackson L. Kiser, Senior U.S. District Judge

Printed name and title